



12-20-05

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PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)	Docket Number (Optional)
<p>First named inventor: John D. Newbold</p> <p>Application No.: 09/828,621</p> <p>Filed:04/06/2001</p> <p>Examiner:Stephan J. Ganey</p> <p>Title: NOZZLE FOR PRECISION LIQUID DISPENSING AND METHOD OF MAKING</p>	
<p>Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX: (703) 872-9306</p>	
<p>NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.</p>	
<p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.</p>	
<p>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</p>	
<p>NOTE: A grantable petition requires the following items:</p> <ul style="list-style-type: none">(1) Petition fee;(2) Reply and/or issue fee;(3) Terminal disclaimer with disclaimer fee –required for all utility and plant applications filed before June 8, 1995; and for all design applications; and(4) Statement that the entire delay was unintentional.	
<p>1. Petition fee</p> <p><input checked="" type="checkbox"/> Small entity-fee \$ <u>750.00</u> (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Other than small entity - fee \$ _____ (37 CFR 1.17(m))</p>	
<p>2. Reply and/or fee</p> <p>A. The reply and/or fee to the above-noted Office action in the form of <u>Amendment B</u> _____ (identify type of reply):</p> <p><input checked="" type="checkbox"/> has been filed previously on <u>04/26/2004</u>.</p> <p><input type="checkbox"/> is enclosed herewith.</p> <p>B. The issue fee of \$ _____.</p> <p><input type="checkbox"/> has been paid previously on <u>12/21/2005</u> <u>SSESHE1</u> <u>00000019</u> <u>09828621</u> <u>01</u> <u>FD-12457</u> <u>750.00</u> <u>OP</u></p>	

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

12/18/2005

Date

Brian Verrilli

Signature

Telephone

Number: (760) 634-8227

BRIAN L. VERRILLI

Typed or printed name

7407 BRAVA STREET

Address

CARLSBAD, CA 92009-7502

Address

Enclosures: Fee Payment

Reply (Letter To The Examiner)

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other: Declaration of Unintentional Abandonment

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Express Mail Label - EQ 461979397 US

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

12/18/2005

Date

Brian Verrilli

Signature

BRIAN L. VERRILLI

Type or printed name of person signing certificate



Check Number 712 - Petition to Revive Application Unintentionally Abandoned



DEC 19 2005

PTO/SB/96 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Brian L. VerrilliApplication No./Patent No.: 09/828,621 Filed/Issue Date: 04/06/2001Entitled: NOZZLE FOR PRECISION LIQUID DISPENSING AND METHOD OF MAKING

Brian L. Verrilli, a Individual - Small Entity
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is 100 %
in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: MDOT Systems, LLC To: Brian L. Verrilli

The document was recorded in the United States Patent and Trademark Office at Reel 014682, Frame 0025, or for which a copy thereof is attached.

2. From: John D. Newbold To: MDOT Systems, LLC

The document was recorded in the United States Patent and Trademark Office at Reel 013225, Frame 0080, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

12/18/2005

Date

(760) 634-8227

Telephone number

Brian L. Verrilli

Typed or printed name

Brian L. Verrilli

Signature

Individual

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Application No. 09/828,621

Filing Date: 04/06/2001

Applicant & Assignee: Brian L. Verrilli

For: NOZZLE FOR PRECISION LIQUID DISPENSING
AND METHOD OF MAKING

Total Claims: 8

Independent Claims: 1

Drawings: 4

) Examiner: Stephen J. Ganey

) Art Unit: 3752

) Atty. Docket: -

) **LETTER TO THE EXAMINER**

**Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Date of Deposit December 18, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service, "First Class Mail" under 37 CFR 1.10 on the date indicated above and is addressed Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Express Mail Label Number - EQ 494911035 US

Brian L. Verrilli

(Name of person mailing paper or fee)

Brian L. Verrilli

(Signature of person mailing paper or fee)

December 18, 2005

(Date Signed)

Dear Examiner:

In the within case named above, the applicant respectfully submits the documents necessary for a grantable petition for consideration in response to the, "Notice of Abandonment" dated October 31, 2005. The applicant made an error and exceeded the deadline for the corrections by 30 days.

The applicant filed corrected, "In The Claims", "Amended Claims" along with a corrected "In The Claims", "Marked Up Version", on April 26, 2004. The second document, "In The Claims", "Marked Up Version" illustrates the changes made to the application in the section, "WHAT IS CLAIMED IS", by the applicant. The applicant believes each of the claims that contain

Application No. 09/828,621

Filing Date: 04/06/2001

Applicant & Assignee: Brian L. Verrilli

For: NOZZLE FOR PRECISION LIQUID DISPENSING AND METHOD OF MAKING

discrepancies that were pointed out by the examiner have been addressed. The format used for

changes is () for deleted matter and ___ for added material.

The applicant would like to thank the examiner for time spent and the diligent, forthright manner in which the discrepant claims were related in the previous Office Action. He is always eager to learn and welcomes the chance to expand his knowledge and sharpen his rudimentary skills in regard to patent application construction.

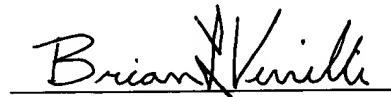
A Novel Nozzle Core (21 gage size) is also enclosed to better relate to the examiner the component and fluid path design that is the subject of the patent application, "NOZZLE FOR PRECISION LIQUID DISPENSING AND METHOD OF MAKING". Figures 1, 2 and 3 in the application illustrate the features present in the design of the Novel Nozzle Core.

The applicant thinks the application and, "Amendment B" is in condition for full compliance now and invites the examiners review. If the changes are acceptable to the examiner, the applicant would like to respectfully request the examiner to grant the, "Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b)" and continue with prosecution of the application.

The applicant would also like to wish the examiner a Happy Holiday!

Dated: December 18, 2005

Very Respectfully Submitted,



Brian L. Verrilli
7407 Brava Street
Carlsbad, CA 92009-7502
Telephone: (760) 634-8227
E-mail: theveemen@netzero.net



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Application No.: 09/828,621

)

Examiner: Steven J. Ganey

Filing Date: April 6, 2001

) Art Unit: 3752

Applicants: John D. Newbold et al.

) Attorney Docket: -

For: NOZZLE FOR PRECISION
LIQUID DISPENSING AND
METHOD OF MAKING

)
DECLARATION OF
UNINTENTIONAL
ABANDONMENT

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date of Deposit: December 18, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service, "First Class Mail" under 37 CFR 1.10 on the date indicated above and is addressed Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Express Mail Label – EQ 461979397 US

Brian L. Verrilli

(Name of person mailing paper or fee)

Brian L. Verrilli

(Signature of person mailing paper or fee)

December 18, 2005

(Date signed)

Dear Examiner:

The undersigned, holder of the Assignment of Patent, and holder of the remaining half of the ownership interest in the within case, hereby provides Statement of Unintentional Abandonment, of the Nonprovisional Utility Application, "**NOZZLE FOR PRECISION LIQUID DISPENSING AND METHOD OF MAKING**". The applicant received Notification the petition was grantable pursuant to (37 CFR §1.137 (3)) for the nonprovisional Utility Application, "**NOZZLE FOR PRECISION LIQUID DISPENSING AND METHOD OF MAKING**", Application No: 09/828,621, Filing Date: April 6, 2001. Notification Amendment B was not compliant followed, the required reply to the Notice of Noncompliant Amendment (37 CFR §1.121) from the date of

Application No. 09/828,621

Filing Date: April 6, 2001

Applicants: John D. Newbold et al.

For: NOZZLE FOR PRECISION LIQUID DISPENSING AND METHOD OF MAKING

notification until the filing of a Compliant Amendment is 30 days. The applicant unintentionally exceeded this time period by 30 days.

Assignment of Assignor's interest in the within parent case, "**NOZZLE FOR PRECISION LIQUID DISPENSING AND METHOD OF MAKING**" is present in the Patent and Trademark assignment system. A complete microfilm copy is available at the assignment search room on the Reel and Frame Numbers referenced below.

1. **Reel/Frame:** 014682/0025

2. **Reel/Frame:** 013225/0080

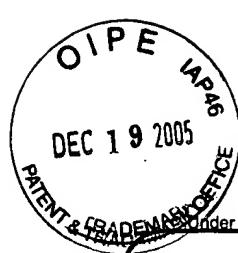
The Applicant Brian L. Verrilli declares as follows:

1. The Abandonment was Unintentional.
2. An error was made interpreting the deadline for the response; Prior PTO notifications regarding Abandonment indicated the Applicant could have two months from the date of receipt to reply and still be considered timely.

Dated: December 18, 2005

Very Respectfully Submitted,

Brian L. Verrilli
Brian L. Verrilli
7407 Brava Street
Carlsbad, CA 92009-7502
Telephone: (760) 634-8227
E-mail: theveemen@netzero.net



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PTO/SB/21 (04-04)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/828,621
		Filing Date	04/06/2001
		First Named Inventor	John D. Newbold
		Art Unit	3752
		Examiner Name	Stephan J. Ganey
Total Number of Pages in This Submission	13	Attorney Docket Number	-NEW

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached - Check No. 712 for \$750.00	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition - Unintentional Abandonment <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Statement 37 CFR 3.73 (b) 2. Declaration of Unintentional Abandonment 3. Postcard
<input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<input type="checkbox"/> Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Brian L. Verrilli	
Signature		
Date	12/18/2005	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Express Mail Label - EQ 461979397 US

Typed or printed name	Brian L. Verrilli	
Signature		Date 12/18/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Return Receipt Postcard

USPTO Documents Required For:
Revival of a Patent Abandoned Unintentionally
For
"NOZZLE FOR PRECISION LIQUID DISPENSING
AND METHOD OF MAKING"

The filing date applied by the USPTO evidences receipt at the USPTO of a utility patent application consisting of:

Transmittal Form – 2 Copies - **2 pages**, Fee Transmittal For FY 2005 – 2 Copies - **2 pages**; Check No. 712 in the amount of \$750.00 Dated: December 15, 2005 – **1 page**; Letter to the Examiner – **2 pages**; Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) – **2 pages**; Statement Under 37 CFR 3.73(b) – **1 page**; Declaration of Unintentional Abandonment – **2 pages**; Copy Of Return Receipt Post Card – **1 page**; a total of **13 pages** of documents for inventor Brian Verrilli; received for filing today December 18, 2005: 

DEC 19 2005

PTO/SB/17 (12-04v2)

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PATENTS & TRADEMARKS 5010
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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 750.00)

Complete if Known

Application Number	09/828,621
Filing Date	04/06/2001
First Named Inventor	John D. Newbold
Examiner Name	Stephan J. Ganey
Art Unit	3752
Attorney Docket No.	-NEW

METHOD OF PAYMENT (check all that apply)

(ENCLOSED: CHECK No. 712 - IN THE AMOUNT OF \$750.00)

 Check Credit Card Money Order None Other (please identify): _____

 Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION
1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES
Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity	
				Fee (\$)	Fee (\$)
- 20 or HP =	x	=		50	25

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
				Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=			

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition To Revive Application Unintentionally Abandoned

\$750.00

SUBMITTED BY

Signature	Brian L. Verrilli	Registration No. (Attorney/Agent)	Telephone (703) 634 8227
Name (Print/Type)	Brian L. Verrilli		Date 12/18/2005

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